

TEXAS BOARD OF CHIROPRACTIC EXAMINERS

William P. Hobby Building
333 Guadalupe, Suite 3-825
Austin, Texas 78701

ANNOUNCEMENT OF BOARD MEETING

Date: **Thursday, August 19, 2021**

Time: **9:00 a.m. (Central Time) until final adjournment**

Location: ***** *This in-person meeting will not be held at the Board offices* *****

**Texas Alcoholic Beverage Commission Headquarters
5806 Mesa Drive
Austin, Texas 78731**

BOARD MEETING AGENDA

The Texas Board of Chiropractic Examiners (Board) will meet in open session and, after determining the presence of a quorum, deliberate, and possibly take formal action, including emergency action, on any of the following agenda items.

Proceedings of the Board shall be conducted under modified Robert's Rules of Order. The President of the Board reserves the right to alter the order of agenda items in his discretion as circumstances warrant. Agenda items that have been adopted, delayed, or tabled for another meeting may be considered or reconsidered at the same meeting.

The Board may, when required, meet and discuss in closed executive session and take action in a subsequent open meeting on any item on the agenda to the extent the Board is authorized to do so pursuant to Texas Government Code §§551.071 (Consultation with Attorney), 551.073 (Deliberation Regarding Prospective Gift), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), or 551.089 (Deliberation Regarding Security Devices or Security Audits).

For questions regarding specific items on this agenda, please contact Christopher Burnett, General Counsel, at 512-305-6700 or christopher@tbce.texas.gov.

Opening Matters:

1. Call to order and roll call.
2. Discussion and action to approve the minutes for the Board meeting held on:

March 11, 2021

3. Election of Board vice-president and secretary-treasurer, pursuant to Texas Occupations Code §201.055.

Board and Staff Reports:

4. President's report and comments.
5. Board Committee reports:
 - a. Rules Committee
 - b. Enforcement Committee
 - c. Education Standards Committee
 - d. Licensing Committee
6. Executive Director and staff reports:
 - a. Executive Director
 - b. Director of Operations
 - c. Director of Licensing
 - d. Director of Enforcement

Public Comments:

7. Public Comment: The Board will entertain general comments from the public on matters not specifically announced elsewhere in this agenda. The Board President may, in his discretion, limit the length of public comments in the interest of time. Individuals who wish to register a comment concerning an agenda item with the Board but not speak may do so by emailing their comments to christopher@tbce.texas.gov. Please include the specific agenda item in any email.

Board Action Items:

8. The Board will discuss and possibly take action on whether the Board will consider HHSC-approved human trafficking courses for continuing education credit and license renewal if the course provider has applied with (and has been approved by) the Board as a continuing education sponsor before offering the course to the Board's licensees.

Board Policy Discussions: The Board may discuss but take no formal action on these items. The Board may give direction to staff as a result of the discussions.

9. Discussion of the range of authority of chiropractors to delegate certain acts under Texas Occupations Code §201.451.
10. Discussion of the diagnosis and treatment of pain within the chiropractic scope of practice.
11. Discussion of the possible amendment of 22 TAC §78.1 (Scope of Practice).
12. Discussion of the requirement to differentiate a chiropractic office or clinic from another business or enterprise contained in Texas Occupations Code §201.502(a)(19) and its relation to other law.

Licensing Matters:

13. Discussion and possible action on requests to sit for the Texas Jurisprudence Examination pursuant to Texas Occupations Code §201.304(a)(2):
 - a. Todd Erickson
 - b. Catherine Garrett
 - c. Forrest Voss
 - d. Benjamin Karis
 - e. Gonzalo Perla
 - f. Nicholas Nolen

Enforcement Matters:

14. Discussion and possible action on proposed cease and desist orders pursuant to Texas Occupations Code §201.6015 and Texas Government Code §2001.056:
 - a. Francisco Flores, unlicensed, TBCE Case No. 2020-146
15. Discussion and possible action on proposed agreed orders pursuant to Texas Occupations Code §201.504(a)(1):
 - a. Don Allen Salyer, License No. 6176, TBCE Case No. 2018-189
 - b. Clayton Allan Hansen, License No. 11629, TBCE Case No. 2018-190
 - c. Louis Huy-Anh Bui, License No. 13035, TBCE Case No. 2019-067
 - d. Christopher W. Turner, License No. 8989, TBCE Case No. 2019-076
 - e. Daniel Garcia, License No. 9939, TBCE Case No. 2019-106
 - f. Jay W. Ferguson, License No. 10367, TBCE Case No. 2019-177
 - g. Jafar Nassiri, License No. 6463, TBCE Case No. 2019-257
 - h. Brian L. Hooten, License No. 8772, TBCE Case No. 2019-278

- i. Peter Thomas Gonyeau, License No. 11117, TBCE Case No. 2019-297
- j. Micah Wynn Pittman, License No. 13544, TBCE Case No. 2020-015
- k. Krystal Jasmine Barnett, License No. 2020-046, TBCE Case No. 2020-046

16. Discussion and possible action on required suspension or revocation of licenses for certain offenses pursuant to Texas Occupations Code §201.5065:

- a. David Gosalvez, III, License No. 12099, TBCE Case No. 2021-048

Proposed Rules:

17. Discussion and possible action on proposing the repeal and replacement of a rule relating to Board fees, license applications, and renewals:

- 22 TAC §72.18 (Criminal History)

18. Discussion and possible action on proposing a new rule relating to Board fees, license applications, and renewals:

- 22 TAC §72.19 (Requirement to Report a Conviction or Deferred Adjudication)

19. Discussion and possible action on proposing the repeal and replacement of a rule relating to advertising and public communications:

- 22 TAC §77.1 (Advertising and Public Communication)

20. Discussion and possible action on proposing a new rule relating to advertising and public communications:

- 22 TAC §77.3 (Use of D.C. and Similar Terms)

Legal Matters:

21. Closed session. Pursuant to Texas Government Code §551.071, the Board will receive will receive legal advice from the general counsel relating to:

- a. on-going litigation
- b. Board ethics training

22. The Board, if necessary, will discuss and take action on matters as discussed in closed session under agenda item #21.

Concluding Matters:

23. Requests from Board members for future agenda items.

24. Adjournment.

Note: Persons with disabilities who plan to attend the meeting and who may need auxiliary aids, services, or special accommodations should contact Lisa Agarwal at 512-305-6906 a minimum of two working days before the meeting so appropriate accommodations can be made.